



The Fertilizer Institute

Nourish, Replenish, Grow

Pamela D. Guffain
Vice President,
Member Services

July 27, 2011

Ms. Cynthia T. Brown
Director, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

230701

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Re: Ex Parte No. 711 – Petition of the National Industrial Transportation League for
Rulemaking To Adopt Revised Competitive Switching Rules

Dear Ms. Brown:

The Fertilizer Institute ("TFI") hereby submits this letter in support of a Petition filed on July 7, 2011 by the National Industrial Transportation League asking the agency to initiate a rulemaking to adopt revised rules on competitive switching. The Petition follows the Board's general consideration of competition issues in Ex Parte No. 705, *Competition in the Railroad Industry*.

TFI is the national trade association of the fertilizer industry. TFI, which traces its roots back to 1883, represents virtually every primary plant food producer, as well as secondary and micronutrient manufacturers, fertilizer distributors and retail dealerships, equipment suppliers and engineering construction firms, brokers and traders, and a wide variety of other companies and individuals involved in agriculture.

In the Ex Parte No. 705 proceeding, the STB asked for new proposals and solutions to address the competitive problems faced by shippers. The League's Petition outlines the significant changes that have taken place in the railroad industry since the Interstate Commerce Commission adopted rules for reciprocal switching in 1985. The Petition indicates that the agency has the power to change those rules. Most importantly, the Petition sets forth a detailed proposal for a new regime of competitive switching, under which competitive switching would be made available to shippers who are served by only a single, Class I rail carrier and who lack effective inter- or intramodal competition.

TFI strongly urges the Board to grant the League's Petition and to issue a Notice of Proposed Rulemaking on the proposal detailed by the League. TFI believes that the League's proposal represents a fair and balanced effort to improve the state of competition in the rail transportation industry, and would provide increased competition for captive shippers without harming carriers. Issuance of a Notice of Proposed Rulemaking on the League's proposal would permit the

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industry as a whole to comment on the proposal and to guide the Board in its effort to improve the state of competition in the rail industry.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pamela D. Guffain".

Pamela D. Guffain